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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/696,698	10/29/2003	Christopher Wallace Willoughby	7261.3002.002	5274

7590 03/23/2005

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EXAMINER

MORRISON, THOMAS A

ART UNIT	PAPER NUMBER
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3653

DATE MAILED: 03/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## DETAILED ACTION

### *Election/Restrictions*

1. The timely submission under 37 CFR 1.129(a) filed on January 18, 2005 is not fully responsive to the prior Office action because applicant did not clearly elect only one of the inventions (i.e., invention I, II, III or IV) listed in the numbered paragraph 1 of the election requirement mailed on December 15, 2004, as required. Rather, applicant elected *species 1* of invention II, and also elected *claims 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20 and 21* of invention I. Accordingly, it is unclear which invention applicant wants to elect. Applicant must elect only one invention (i.e., invention I (claims 1-21), invention II (claims 22-42), invention III (claims 43-48) or invention IV (claims 49-55)) for prosecution on the merits. Only if applicant happens to elect the claims drawn to invention II (claims 22-42) must applicant also elect only Species I (Fig. 2) or Species II (Figs. 10-11) and indicate which of the claims of invention II (i.e., which of claim 22-42) read on that elected species.

Since the submission appears to be a *bona fide* attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a). If a notice of appeal and the fee set forth in 37 CFR 1.17(e) were filed prior to or with the payment of the fee set forth in 37 CFR 1.17(r), the payment of the fee set forth in 37 CFR 1.17(r) by applicant is construed as a request to dismiss the appeal and to continue prosecution under 37 CFR 1.129(a). The appeal stands dismissed.

*Conclusion*

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Morrison whose telephone number is 703-305-0554. The examiner can normally be reached on M-F, 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Walsh can be reached on 703-306-4173. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to be 'M. Morrison', is written over a series of horizontal dotted lines.